

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES )  
FOR THE STATE OF OKLAHOMA, )  
Plaintiff, )  
vs. ) 4:05-CV-00329-TCK-SAJ  
TYSON FOODS, INC., et al, )  
Defendants. )

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THE VIDEOTAPED DEPOSITION OF  
RONALD MULLIKIN, produced as a witness on behalf  
of the Plaintiff in the above styled and numbered  
cause, taken on the 14th day of November, 2007, in  
the City of Tulsa, County of Tulsa, State of  
Oklahoma, before me, Lisa A. Steinmeyer, a Certified  
Shorthand Reporter, duly certified under and by  
virtue of the laws of the State of Oklahoma.

Exhibit 36

TULSA FREELANCE REPORTERS  
918-587-2878

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1 worked in my department, I had them track it, but I  
2 don't recall, sir, what numbers we ended up with, if  
3 we got 100 percent compliance or not.

4 Q Okay. Now, since Mr. Henderson says this  
5 would be to help determine how many tons of litter 03:06PM  
6 cannot be applied in the coming spring, we can  
7 conclude from that I believe, do you agree with me,  
8 that it had already been determined that too much  
9 litter was being applied to pasture lands in 1998?

10 MR. McDANIEL: Object to the form. 03:06PM

11 A We felt as though because of the length of  
12 time that poultry litter had been applied to many of  
13 these pasture lands, that there very well could be  
14 growers that had phosphate levels when they went in  
15 to do their nutrient management plans that were in 03:06PM  
16 excess of the threshold I had talked about and we  
17 would need to know where they were going to have  
18 excess tonnage so we could try and help them find a  
19 home for it.

20 Q Okay. 03:07PM

21 MR. RIGGS: We'll take a break now.

22 VIDEOGRAPHER: We are now off the Record.  
23 The time is 3:07 p.m.

24 {Following a short recess at 3:07 p.m.,  
25 proceedings continued on the Record at 3:13 p.m.) 03:13PM

1 VIDEOGRAPHER: We are back on the Record.

2 The time is 3:13 p.m.

3 Q Mr. Mullikin, before the break, in fact early  
4 in your testimony you mentioned some of your duties  
5 included training. Did you provide any training to  
6 the flock supervisors at Peterson Farms?

03:13PM

7 MR. McDANIEL: Object to the form.

8 A Yeah. There was some training classes that  
9 they would have attended.

10 Q What does the term flock supervisor mean to  
11 you?

03:14PM

12 A I had never heard it used until today, so --

13 Q Okay. Field man, is that a term you are  
14 familiar with?

15 A Uh-huh, uh-huh.

03:14PM

16 Q Was that the term used within Peterson to --

17 A I believe so.

18 Q What did the field man do for Peterson?

19 A He is responsible for a group of growers, got  
20 involved with I guess feed supplements and best  
21 practices within whatever it is that the growers do  
22 to produce their flocks.

03:14PM

23 Q Okay. He's the guy who goes to the grower's  
24 farm periodically to observe the flock to see how  
25 well they're doing and make sure they're being taken

03:14PM

1 care of properly?

2 A That's my understanding.

3 Q Is that position also referred to as a service  
4 technician?

5 A I believe so.

03:15PM

6 Q Okay. When you did communicate with or  
7 participate in training of these service technicians  
8 or field men, did any of that training include  
9 providing them information about protecting water  
10 quality?

03:15PM

11 A I don't recall.

12 Q Did you provide them any kind of environmental  
13 information?

14 A I don't recall specifically, no.

15 Q The article that we have been talking about,  
16 which is Exhibit 1 to your deposition, I asked you I  
17 think if it had been published. Let me ask you a  
18 little more about that. Do you know if it was  
19 circulated within the company, Peterson?

03:15PM

20 A I know that Janet Wilkerson saw a copy of it.

03:16PM

21 Q Okay. Do you know if anyone else did?

22 A No, I don't know.

23 Q Did you discuss it with her?

24 A I believe so.

25 Q Do you recall anything she had to say about

03:16PM